

**IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF OKLAHOMA**

RAY VAUGHN DESHAUN WOODS,)	
)	
Petitioner,)	
vs.)	Case No. CIV-11-1447-HE
)	
KAY COUNTY,)	
)	
Respondent.)	

ORDER


Petitioner, a state prisoner appearing *pro se*, has filed a 28 U.S.C. § 2254 petition for writ of habeas corpus. Pursuant to 28 U.S.C. § 636(b)(1)(B), the case was referred to Magistrate Judge Robert E. Bacharach. Judge Bacharach recommended the petition be dismissed for failing to comply with Fed. R. Civ. P. 8(a). He further recommended that petitioner be granted leave to amend his petition in order to state how his federal rights had been violated. Report and Recommendation [Doc. #6]. Objections to Judge Bacharach's Report and Recommendation were due by January 7, 2012.

Petitioner, having failed to object to the Report and Recommendation, has waived his right to appellate review of the factual and legal issues it addressed. United States v. 2121 E. 30th St., 73 F.3d 1057, 1059 (10th Cir. 1996); *see also* 28 U.S.C. § 636(b)(1)(C) ("A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations *to which objection is made.*" (emphasis added)). Accordingly, the court **ADOPTS** Magistrate Judge Bacharach's Report and Recommendation [Doc. #6]. The petition is **DISMISSED**; however, the petitioner is granted

leave to amend his petition in order to state how his federal rights were violated **within**
twenty-one (21) days of entry of this order.

IT IS SO ORDERED.

Dated this 17th day of January, 2012.



JOE HEATON
UNITED STATES DISTRICT JUDGE